

03-08-01

 Please type a plus sign (+) inside this box→ Approved for use through 10/31/2002 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **23**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **1**]
5. Oath or Declaration [Total Pages **4**]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)of prior application No **09 / 265,299**

Prior application information

Examiner **Delacroix Muirheid, C.**Group / Art Unit **1614**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label**23579**

PATENT TRADEMARK OFFICE

or Correspondence address below

Name	Patrea L. Pabst Arnall Golden & Gregory, LLP			
Address	2800 One Atlantic Center 1201 West Peachtree Street			
City	Atlanta	State	GA	Zip Code
Country	United States	Telephone	(404) 873-8794	Fax

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature	<i>[Signature]</i>		
	Date 3/1/2001		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$481.00)

Complete if Known

Application Number	Continuation of 09/265,299
Filing Date	March 7, 2001
First Named Inventor	Stephen T. Sonis
Examiner Name	
Group Art Unit	
Attorney Docket No.	MT 100 CON

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to
Deposit Account Number **01-2507**

Deposit Account Name **Arnall Golden & Gregory, LLP**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity				Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101 710	201 355	Utility filing fee		355.00	
106 320	206 160	Design filing fee			
107 490	207 245	Plant filing fee			
108 710	208 355	Reissue filing fee			
114 150	214 75	Provisional filing fee			
SUBTOTAL (1)				(\$) 355.00	

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	34	- 20 = 14	(\$) 9.00 = 126.00
Independent Claims	3	- 3 = 0	
Multiple Dependent			

*Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			
(\$) 126.00			

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Patrete L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 873-8794
Signature				Date	3/7/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen T. Sonis and Edward G. Fey

Serial No: Continuation of 09/265,299 Express Mail Label
No. EL 709 420 295 US

Filed: March 7, 2001 Date of Deposit: March 7, 2001

For: METHODS AND COMPOSITIONS FOR TREATING AND
PREVENTING MUCOSITIS

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of copending prior application U.S.S.N. 09/265,299 filed March 9, 1999, entitled "*Methods and Compositions for Treating and Preventing Mucositis*", by Stephen T. Sonis and Edward G. Fey. The application includes 1 page of abstract, 15 pages of specification, 7 pages of claims, 1 sheet of formal drawing, and a copy of the corrected executed Declaration for Patent Application from prior application U.S.S.N. 09/265,299 from each of (1) Stephen T. Sonis; and (b) Edward G. Fey. An unexecuted Power of Attorney or Authorization of Agent by Mucosal Therapeutics LLC is also enclosed. The executed Power of Attorney or Authorization of Agent by Mucosal Therapeutics LLC will be submitted shortly.

Continuation of U.S.S.N. 09/265,299
Filed: March 7, 2001
REQUEST FOR FILING A CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)
Express Mail Label No. EL 709 420 295 US
Date of Deposit: March 7, 2001

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration included in the new application is a copy of the executed Declaration filed in parent application Serial No. 09/265,299, to which the new application claims benefit.

A Preliminary Amendment and an Information Disclosure Statement are enclosed.

Applicants also enclose from prior application U.S.S.N 09/265,299 filed March 9, 1999, copies of the (a) executed Assignment from Stephen T. Sonis and Edward G. Fey to Mucosal Therapeutics LLC, recorded August 30, 1999, at Reel 010209, Frame 0099; and (b) executed Statement Under 37 C.F.R. § 3.73(b) by Mucosal Therapeutics LLC.

This application is entitled to small entity status pursuant to 37 C.F.R. § 1.27.

Submitted with the new application are a (1) check in the amount of \$481.00 to cover the filing fee for a small entity; (2) Fee Transmittal (PTO/SB/17); and (3) Utility Patent Application Transmittal (PTO/SB/45). It is believed that \$481.00 is the proper filing fee for a small entity, as the application includes 3 independent claims and a total of 34 claims after entry of the enclosed Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

Continuation of U.S.S.N. 09/265,299
Filed: March 7, 2001
REQUEST FOR FILING A CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)
Express Mail Label No. EL 709 420 295 US
Date of Deposit: March 7, 2001

This application is being filed on March 7, 2001, by mailing the application to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: March 7, 2001

ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
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(404) 873-8795 (fax)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen T. Sonis and Edward G. Fey

Serial No: Continuation of 09/265,299 Express Mail Label
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Assistant Commissioner of Patents
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Continuation of U.S.S.N 09/265,299

Filed: March 7, 2001

REQUEST FOR FILING A CONTINUATION

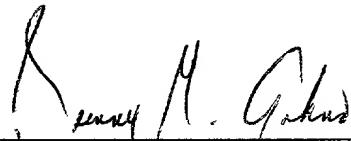
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Express Mail Label No EL 709 420 295 US

Date of Deposit: March 7, 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. §1.53(b) and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, March 7, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 709 420 295 US addressed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.



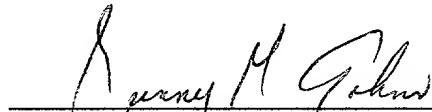
Sunny G. Johns

Date: March 7, 2001

Continuation of U.S.S.N. 09/265,299
Filed: March 7, 2001
PRELIMINARY AMENDMENT
Express Mail Label No. EL 709 420 295 US
Date of Deposit: March 7, 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this PRELIMINARY AMENDMENT and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, March 7, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 709 420 295 US addressed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.



Sunny G. Johns

Date: March 7, 2001